

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JASSER ZAABRI,

Plaintiff,

ORDER

v.

Case No. 22-CV-1716 (PJS/DTS)

MAGIS, LLC, CHRISTOPHER ABDUL-
HAQQ, and MAGIS CONSTRUCTION,
LLC,

Defendants.

EDGAR HARUTYUNYAN, DAMON
PEARY, ZACH FAVALORO, ERICK
WEISENSEEL, TATIANA WEISENSEEL,
WILLIAM MEYER, JUSTIN
KILPATRICK, RICHARD DOMBROFF,
JOHN KABI, AHMED DAWKAWI, and
HAMZEH QUTTAINEH,

Plaintiffs,

Case No. 22-CV-1877(PJS/DTS)

v.

MAGIS, LLC, CHRISTOPHER ABDUL-
HAQQ, and MAGIS CONSTRUCTION,
LLC,

Defendants.

Lee A. Hutton, THE HUTTON FIRM, PLLC, for plaintiffs.

Michael E. Obermueller, WINTHROP & WEINSTINE, P.A., for defendants.

These matters are before the Court on defendants' motions to dismiss plaintiffs' amended complaints. The Court held a hearing on July 5, 2023. For the reasons stated on the record during the hearing and as explained below, defendants' motions are granted in part and denied in part.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT:

1. Defendants' motions to dismiss are GRANTED IN PART and DENIED IN PART. These motions are as follows:
 - a. *Zaabri v. Magis, LLC et al.*, No. 22-CV-1716 (PJS/DTS) [ECF No. 27].
 - b. *Harutyunyan et al., v. Magis, LLC et al.*, No. 22-CV-1877 (PJS/DTS) [ECF No. 41].
2. All claims against defendants Christopher Abdul-Haqq and Magis Construction, LLC, in *Zaabri*, 22-CV-1716 (PJS/DTS) and *Harutyunyan et al.*, 22-CV-1877 (PJS/DTS), are DISMISSED WITHOUT PREJUDICE.
3. As to the claims against Magis, LLC:
 - a. Counts 1, 3, 4, 5, 6, 11, and 12 of plaintiffs' amended complaints in *Zaabri*, 22-CV-1716 (PJS/DTS) [ECF No. 23] and *Harutyunyan et al.*,

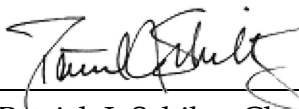
22-CV-1877 (PJS/DTS) [ECF No. 38] are DISMISSED WITHOUT PREJUDICE.

b. Counts 7 and 8 of plaintiffs' amended complaint in *Harutyunyan et al.*, 22-CV-1877 (PJS/DTS) [ECF No. 38] are DISMISSED WITHOUT PREJUDICE.

c. The following claims remain in the cases:

- i. Each of plaintiffs' breach of contract claims (Count 2 of the amended complaints);
- ii. Plaintiff Zaabri's claims arising under Minn. Stat. § 181.13 (Counts 7 and 8 of his amended complaint); and
- iii. Each of plaintiffs' Fair Labor Standards Act and wage-deduction claims (Counts 9 and 10 of the amended complaints).

Dated: July 5, 2023



Patrick J. Schiltz, Chief Judge
United States District Court